

GEN/035

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Steven A. Boyd et al.  
Application No. : 10/593,911 Confirmation No.: 6038  
Filed : March 23, 2005  
For : THIOALKENEAMIDES AS TRANSKETOLASE  
INHIBITORS  
Group Art Unit : 1614  
Examiner : To Be Assigned

**MAIL STOP: PCT**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

May 11, 2007  
Palo Alto, CA

RESPONSE TO NOTIFICATION  
OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

This responds to the April 23, 2007 Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (hereinafter "Notification") in the above-identified application.

The Notification states that additional claim fees of \$300 are required for 3 independent claims over 3. Applicants submit herewith a 2nd Preliminary Amendment which makes clear that the pending claims include only one (1) independent claim. Accordingly,

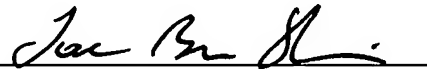
Applicants believe that no additional claim fees are due.

05/15/2007 MKAYPAGH 00000107 061075 10593911

01 FC:2617 65.00 DA  
02 FC:2614 300.00 DA

The Notification also states that an oath or declaration of the inventors, in compliance with 37 C.F.R. § 1.497(a) and (b), must be furnished in order to complete the requirements for acceptance under 35 U.S.C. § 371. The Notification also states that the oath or declaration now on file does not comply with 37 C.F.R. § 1.497(a) and (b) in that it is not executed in accordance with either 37 C.F.R. §§ 1.66 or 1.68. Accordingly, applicants enclose herewith two (2) Declaration and Power of Attorney forms duly executed by all inventors.

The Director is hereby authorized to charge \$65 in payment of the surcharge for a small entity under 37 C.F.R. § 1.492(h), as well as any additional fees due or to credit any overpayment in connection with this Request, to Deposit Account No. 06-1075 (Order No. 001581-0301). A duplicate copy of this request is enclosed herewith.



Tae Bum Shin  
Ltd. Reg. No. L0091  
Agent for Applicants

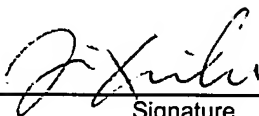
Fish & Neave IP Group  
Ropes & Gray LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, NY 10036-8704  
Tel.: (650) 617-4000

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV843187579US in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on May 11, 2007  
Date



Signature

Lily Jiang

Typed or printed name of person signing Certificate

Registration Number, if applicable

650.617.4000

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Response to Notification of Missing Requirements (2 pages) in Duplicate
2. 2nd Preliminary Amendment (11 pages)
3. Two (2) Declaration and Power of Attorney forms executed by all inventors (10 pages)
4. Copy of Notification of Missing Requirement (2 pages)



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/593,911	Steven A. Boyd	GEN/035

1473  
FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
1211 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036-8704

**RECEIVED**

APR 27 2007

ROPES & GRAY LLP PATENT DEPT.  
REFERRED TO: STB  
NOTED BY: \_\_\_\_\_

INTERNATIONAL APPLICATION NO.	
PCT/US05/09966	
LA. FILING DATE	PRIORITY DATE
03/23/2005	03/24/2004

CONFIRMATION NO. 6038

371 FORMALITIES LETTER



\*OC000000023497803\*

Date Mailed: 04/23/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/22/2006
- Copy of the International Search Report filed on 09/22/2006
- Preliminary Amendments filed on 09/22/2006
- Oath or Declaration filed on 09/22/2006
- Request for Immediate Examination filed on 09/22/2006
- U.S. Basic National Fees filed on 09/22/2006
- Priority Documents filed on 09/22/2006
- Specification filed on 09/22/2006
- Claims filed on 09/22/2006
- Abstracts filed on 09/22/2006

**RECEIVED**  
ROPES & GRAY LLP  
Patent Dept.  
MAY 03 2007  
PALO ALTO CA  
REFERRED TO: T.B.S./B.S.  
NOTED BY: \_\_\_\_\_  
File No.: 09N/035  
Action Desc: Resp to miss reqts  
Due Date: June 23, 2007  
By: \_\_\_\_\_

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$300 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- August 2012
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$365** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 300**
  - **\$300** for 3 independent claims over 3.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/593,911	PCT/US05/09966	GEN/035